



AP/3623
ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jeremy Wertheimer and Carl G. de Marcken
Art Unit : 3623
Examiner : Robinson Boyce, Akiba K
Serial No. : 09/615,574
Filed : July 13, 2000
Title : COMPETITIVE AVAILABILITY TOOLS

MAIL STOP APPEAL-BRIEF PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated November 23, 2004, finally rejecting claims 1-32.

Applicant previously filed a notice on appeal on November 3, 2004 and paid the corresponding fee. Applicant has enclosed a check in the amount of \$500 for the appeal fee. However, if no fee is due, Applicant requests a refund of the enclosed fee to Deposit Account No. 06-1050, referencing the above attorney docket number.

Respectfully submitted,

Date: 1/7/05

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit January 7, 2005

Signature Marie Collins

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